GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment - Cooperation Department - Sri D.Rama Rao, Assistant Registrar /Sub Divisional Cooperative Officer, Tiruvuru - Treating the period from 6.3.2012 to 30.3.2012 (25 days) as duty and payment of salary and allowances for the said period as per the judgment dt. 10.2.2015 of Hon'ble APAT in OA No. 2748/2012 with MA No. 2603/2015 - Orders – Issued.

==========

AGRICULTURE AND COOPERATION (VIG.II) DEPARTMENT

G.O.RT.No. 212 Dated: 19-03-2016

Read the following:-

1. Hon'ble APAT judgment dt. dt.10.2.2015 in OA No. 2748/2012 with MA No.2603/2015
2. From CC&RCS, A.P., Hyd. Lr.No.19218/2007-NG-III, dt.2.12.2015.

@@@

ORDER:-

Sri D.Rama Rao, Asst.Registrar was dismissed from service while working as Assistant Registrar, Office of the Sub Divisional Cooperative Officer, Tiruvuru with immediate effect in terms of Clause (i) of AP Civil Services (CC&A) Rules 1991 read with G.O.Ms.No.2, General Administration (Ser.C) Department, dt:4.1.1999 consequent on his conviction in CC No.59/2008 on the file of Special Judge for SPE&ACB cases, Vijayawada vide G.O.Ms.No.36, A&C(Vig.III) Dept., dt.6.3.2012.

2. Sri D.Rama Rao, filed OA No.2748/2012 in the Hon'ble APAT with a prayer to grant and release the salary to the applicant for a period of 25 days i.e., from 6.3.2012 to 30.3.2012 and also to release compassionate allowance as per Rule 40 of AP Revised Pension rules, 1980 along with 300 days of E.L .encashment within a specific period of time, pending disposal of OA.

3. The Hon'ble APAT in its orders dt.10.2.2015 in OA No. 2748/2012 with MA No.2603/2015 have directed the respondents as follows:-

" The applicant was dismissed through G.O.Ms.No.36, dt.6.3.2012. But the said G.O. was served upon the applicant on the afternoon of 30.3.2012 while he was on medical leave on Half Pay. Having issued the G.O, the respondents ought to have served it upon him without delay. The delay till such time the order is served upon him, it is deemed that he is in service.

Therefore, the applicant is entitled for salary for the period from 6.3.2012 to 30.3.2012 by treating the period as duty since he was on medical leave on Half Pay. So far as 300 days of E.L. Encashment is concerned, since the Appeal of the applicant against the conviction is pending before the Hon'ble High Court, depending upon the result of the Appeal, he can made a request to the respondents to release encashment amount to him.

P.T.O.

Accordingly, the OA is disposed of with a direction to the respondents to pay salary to the applicant for the period from 6.3.2012 to 30.3.2012 within a period of four weeks from the date of receipt of a copy of this order. As far as relief of reinstatement is concerned, the applicant is at liberty to renew his request for reinstatement depending upon result of the Appeal".

4. In the reference 2nd read above, the CC&RCS, A.P., Hyd. has requested to issue orders for sanction of arrear salary of Sri D.Rama Rao, worked as Asst. Registrar O/o the SDICO, Tiruvuru for the period from 6.3.2012 to 30.3.2012 as it is required for passing the salary bill of the individual as directed by the Hon'ble APAT.

5. Government have considered the judgment of APAT in OA No. 2748/2012 with M.A.No.2603/2015, dt:10.2.2015 and decided to implement the same. The CC&RCS, A.P., Hyderabad is therefore directed to draw & Pay the salary & allowances in respect of Sri D.Rama Rao, worked as Assistant Registrar O/o the SDICO, Tiruvuru for the period from 6.3.2012 to 30.3.2012 who has been dismissed from Service vide G.O.Ms.No.36, A&C(Vig.II) Dept., dt:6.3.2012, in order to implement the orders dt.10.2.2015 of Hon'ble APAT in OA No. 2748/2012 with MA No.2603/2015.

6. This order issues with the concurrence of Finance (HR.IV) Dept., vide their U.O.Note No. 51910/42/HR.IV/16, dt.19.2.2016.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.VIJAY KUMAR,
SPL.CHIEF SECRETARY TO GOVT.(AGRI,AM&C)

To
The Commissioner for Cooperation & Registrar of Cooperative Societies, A.P., Hyderabad.
Sri D.Rama Rao, Asst.Registrar through Commissioner for Cooperation & Registrar of Cooperative Societies, A.P., Hyd.
SC/SF.

//FORWARDED BY ORDER//

SECTION OFFICER